



CITY OF WINTER GARDEN

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WINTER GARDEN, FL 34787
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REGULAR MEETING MINUTES CODE ENFORCEMENT BOARD AUGUST 7, 2007

CALL TO ORDER

Chairman Joseph C. Skubas called the regular meeting of the Winter Garden Code Enforcement Board to order at 6:00 p.m. in the Commission Chambers at City Hall. The invocation was given followed by the Pledge of Allegiance. The roll was called and a quorum was declared present.

PRESENT: Chairman Joseph Skubas, Vice-Chairwoman Barbara Pennington, Board Members Henry L. Wright, Vincent Goodwin and Charlie Mae Wilder. Also present were Board Attorney Gayle A. Owens, Building Official Willie Herbert, Code Enforcement Manager Debra Irvin and Secretary Laura Rodriguez.

ABSENT: Board members Bradley Lomneck and Jeffrey Sherron.

APPROVAL OF MINUTES: Approval of minutes from regular meeting held July 10, 2007.

Motion by Chairman Skubas to approve the minutes of July 10, 2007 as printed, Barbara Pennington seconded, and the motion carried unanimously 5-0.

HEARINGS ON STATEMENT OF VIOLATIONS PURSUANT TO NOTICES OF HEARINGS

**1. Case No. 07-850 – Keung Man Kwok
1762 Morning Sky Drive, Winter Garden, FL 34787**

Violation Cited: Sec 118-488 Special Exemptions – Rooming House Prohibited in PUD

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| 05-07-07 | Inspection by Former Inspector Rueda |
| 05-09-07 | Notice of Code Violation |
| 07-25-07 | Notice of Hearing |
| 08-07-07 | Board Meeting |

Observation: Chun Lien Xue (tenant) stated that he rents the house with three other people and works for the owner at a Chinese restaurant.

Code Enforcement Manager Irvin presented exhibits, gave a detailed history of the case and stated the property is in non-compliance.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW :

Keung Man Kwok is the owner of the property located at 1762 Morning Sky Drive, Winter Garden, FL 34787 is in violation of the Code of Ordinances of the City of Winter Garden, Florida, Section 118-488: operating a rooming house.

***MOTION:** Member Goodwin moved in Case No. 07-850 that the respondent is in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated May 9, 2007. The respondent shall immediately cease and desist operation of the rooming house at the property located at 1762 Morning Sky Drive, Winter Garden, FL 34787. Mr. Kwok is ordered to contact the City of Winter Garden Code Enforcement Inspector to arrange an inspection of the property. If he does not comply with the order a hearing shall be held before the Code Enforcement Board to determine whether a fine of up to \$250.00 per day should be imposed. Motion seconded by Member Pennington the motion carried unanimously 5-0.*

**2. Case No. 07-981 – Jacinto Guterrez
1080 Lincoln Terrace, Winter Garden, FL 34787**

Violation Cited: Environment Sec 38-56(a); Tall weeds and grass; Sec 18-151 Standard Building Code (Unsafe Building); Sec 18-91 Building permit is required

05-09-07 Notice of Code Violation
07-25-07 Notice of Hearing-Posted
07-25-07 Notice of Hearing-Certified & Regular Mail
08-07-07 Board Meeting

Observation: Tall weeds and grass around entire parcel; house is dilapidated, vacant, boarded up, no utilities are active on this property.

Code Enforcement Manager Irvin presented exhibits, gave a detailed history of the case and stated the property is in non-compliance.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Mr. Jacinto Guterrez, the owner of the property located at 1080 Lincoln Terrace, Winter Garden, FL 34787 is in violation of the Code of Ordinances of the City of Winter Garden, Florida: Section 38-56(a) excessive accumulation of untended growth of weeds, public nuisance; Sections 18-151, 18-91 and 18.91.5 existence of a structure that is dilapidated and unfit for occupancy, failure to obtain necessary permits for repair or demolition.

MOTION: Member Wilder moved in Case No. 07-981 that the respondent is in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated May 9, 2007. The respondent shall correct the violations on or before August 15, 2007. Mr. Guiterrez is ordered to contact the City of Winter Garden Code Enforcement Inspector to arrange an inspection of the property. If he does not comply with the order a hearing shall be held before the Code Enforcement Board to determine whether a fine of up to \$250.00 per day should be imposed. Motion seconded by Member Goodwin the motion carried unanimously 5-0.

**3. Case No. 07-999 – Eugene Flores, Martha Flores and Daisey Flores
226 6th Street, Winter Garden, FL 34787**

Violation Cited: Sec 18-160; Vacant Buildings, Sec 18-91; Building permit required, Sec 19-91.5; Work starting before permit issuance

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| 05-17-07 | Notice of Code Violation |
| 07-25-07 | Notice of Hearing-Posted |
| 07-25-07 | Notice of Hearing-Certified & 1 st Class Mail |
| 08-07-07 | Board Meeting |

Observation: Building is dilapidated and boarded up.

Code Enforcement Manager Irvin presented exhibits, gave a detailed history of the case and stated the property is in non-compliance.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Eugene Flores, Martha Flores and Daisey Flores, the owners of the property located at 226 6th Street, Winter Garden, FL 34787 are in violation of the Code of Ordinances of the City of Winter Garden, Florida: Section 18-160 vacant buildings and Section 18-91 obtaining building permits before beginning repairs or construction.

MOTION: Chairman Skubas moved in Case No. 07-999 that the respondents are in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated May 17, 2007. The respondents shall correct the violations on or before August 15, 2007. The respondents are ordered to contact the City of Winter Garden Code Enforcement Inspector to arrange an inspection of the property. If they do not comply with the order a hearing shall be held before the Code Enforcement Board to determine whether a fine of up to \$250.00 per day should be imposed. Motion seconded by Member Wright the motion carried unanimously 5-0.

**4. Case No. 07-1066 – Luz D. Moncada and Sara R. Espejo
341 E. Maple Street, Winter Garden, FL 34787**

Violation Cited: Sec 118-1127; Disabled motor vehicles

05-23-07 Notice of Code Violation
07-25-07 Notice of Hearing-Posted
08-07-07 Board Meeting

Observation: Observed blue Toyota Camry parked in the rear yard without a valid Florida tag.

Code Enforcement Manager Irvin presented exhibits, gave a detailed history of the case and stated the property is in non-compliance.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Luz D. Moncada and Sara R. Espejo, the owners of the property located at 341 E. Maple Street, Winter Garden, FL 34787 are in violation of the Code of Ordinances of the City of Winter Garden, Florida: Section 18-1127 unlicensed or disabled vehicle on property.

***MOTION:** Vice-Chairwoman Pennington moved in Case No. 07-1066 that the respondents are in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated May 23, 2007. The respondents shall correct the violations on or before September 5, 2007. The respondents are ordered to contact the City of Winter Garden Code Enforcement Inspector to arrange an inspection of the property. If they do not comply with the order a hearing shall be held before the Code Enforcement Board to determine whether a fine of up to \$250.00 per day should be imposed. Motion seconded by Chairman Skubas the motion carried unanimously 5-0.*

5. Case No. 07-1076 is in Compliance.

***MOTION:** Member Wilder moved in Case No. 07-1076 be dismissed. Motion seconded by Vice-Chairwoman Pennington the motion carried unanimously 5-0.*

**6. Case No. 07-1077 – Jose R. Colon
213 E. Cypress Street, Winter Garden, FL 34787**

Violation Cited: Sec 18-160; Vacant Buildings, Sec 18-91; Building Permit Required, Sec 18-91.5; Work starting before permit issuance, Sec 38-56(a); Environment-trash and debris

05-25-07 Inspection by Former Inspector Rueda
06-12-07 Notice of Code Violation
07-25-07 Notice of Hearing-Posted
08-07-07 Board Meeting

Observation: Building is dilapidated and boarded up, trash and debris at rear of property.

Code Enforcement Manager Irvin presented exhibits, gave a detailed history of the case and stated the property is in non-compliance.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Jose R. Colon, the owner of the property located at 213 E. Cypress Street, Winter Garden, FL 34787 is in violation of the Code of Ordinances of the City of Winter Garden, Florida: Section 38-56(a) the existence of excessive rubbish, debris, trash and other matter; public nuisance; Section 18-16 regarding vacant buildings; Section 18-191 violation of housing codes, and Section 18-91 requirements for building permits.

***MOTION:** Chairman Skubas moved in Case No. 07-1077 that the respondent is in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated June 12, 2007. The respondent shall correct the violations on or before August 15, 2007. The respondent is ordered to contact the City of Winter Garden Code Enforcement Inspector to arrange an inspection of the property. If he does not comply with the order a hearing shall be held before the Code Enforcement Board to determine whether a fine of up to \$250.00 per day should be imposed. Motion seconded by Vice-Chairwoman Pennington the motion carried unanimously 5-0.*

**7. Case No. 07-1084 – Joseph Krolicki
1516 E. Spring Ridge Circle, Winter Garden, FL 34787**

Violation Cited: Sec 38-56(a) Environment-tall grass and weeds

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| 05-31-07 | Inspection by Irvin |
| 05-31-07 | Notice of Code Violation |
| 07-25-07 | Notice of Hearing-Posted |
| 08-07-07 | Board Meeting |

Observation: Tall weeds in front and rear yard.

Code Enforcement Manager Irvin presented exhibits, gave a detailed history of the case and stated the property is in non-compliance.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Joseph Krolicki, the owner of the property located at 1516 E. Spring Ridge Circle, Winter Garden, FL 34787 is in violation of the Code of Ordinances of the City of Winter Garden, Florida: Section 38-56(a) the existence of excessive accumulation or untended growth of weeds; public nuisance

MOTION: Member Goodwin moved in Case No. 07-1084 that the respondent is in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated May 31, 2007. The respondent shall correct the violations on or before August 10, 2007. The respondent is ordered to contact the City of Winter Garden Code Enforcement Inspector to arrange an inspection of the property. If he does not comply with the order a hearing shall be held before the Code Enforcement Board to determine whether a fine of up to \$250.00 per day should be imposed. Motion seconded by Vice-Chairwoman Pennington the motion carried unanimously 5-0.

8. Case No. 07-1219 is in Compliance.

MOTION: Member Wilder moved in Case No. 07-1219 be dismissed. Motion seconded by Vice-Chairwoman Pennington the motion carried unanimously 5-0.

9. Case No. 07-1221 is in Compliance.

MOTION: Chairman Skubas moved in Case No. 07-1221 be dismissed. Motion seconded by Member Goodwin the motion carried unanimously 5-0.

10. Case No. 07-1256 is in Compliance.

MOTION: Chairman Skubas moved in Case No. 07-1256 be dismissed. Motion seconded by Vice-Chairwoman Pennington the motion carried unanimously 5-0.

ADJOURNMENT:

There being no more business to discuss, the meeting was adjourned at 7:00 p.m.

ATTEST:

APPROVED:

Secretary Laura Rodriguez
for Ana Alves

Chairman Joseph C. Skubas